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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/999,245	12/10/1997	JEFFREY SCOTT EDER	AR-03/5373-0105PUS1	3613
53787 7590 02/07/2007 ASSET TRUST, INC. 2020 MALTBY ROAD SUITE 7362 BOTHELL, WA 98021			EXAMINER POINVIL, FRANTZY	
			ART UNIT	PAPER NUMBER
			3692	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/07/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

08/999,245

Applicant(s)

EDER, JEFFREY SCOTT

Examiner

Frantzy Poinvil

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 44-59 and 65-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 44-59 and 65-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Remarks:

Applicant's representative generally argues that the Lyons et al reference fail to teach or suggest detail regarding aggregating enterprise related event data. Applicant's representative also states that Lyons et al fail to teach or suggest inherency of aggregating enterprise event related event data. Applicant further states that Lyons et al lack detail aggregating data from a plurality of database management systems.

In response, the Examiner respectfully disagrees. Lyons et al are directed to a system and method for generating a financial report for a client. The system and method comprise aggregating enterprise related event data from a plurality of database management system. See column 4, lines 19-30. Lyons et al further teach obtaining data quarterly or yearly and generating a report quarterly or yearly. See columns 4-5 of Lyons et al. Lyons et al also teach storing financial event data in a file or table. See columns 5-6 of Lyons et al.

The prior rejection is repeated below.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 44-59 and 65-81 are rejected under 35 U.S.C. 102(b) as being anticipated by Lyons et al (US Patent No. 4,989,141).

As per claims 44-47, and 51- 55, 59, 65-71, 73, 75-77 and 80, Lyons et al disclose an enterprise data integration system comprising a computer system coupled to a plurality of data sources for aggregating a plurality of financial information and an application software segment configured to convert data source information to a common schema and store the converted data in an application database. See the abstract and columns 5-11 of Lyons et al.

Lyons et al teach a common data dictionary defining common attributes selected from the group consisting of elements of value, components of value, currencies, units of measure, time period, dates and combinations thereof. See column 7, line 1 to column 9, line 17 and column 13, lines 62-65 of Lyons et al. Lyons et al further teach database systems such as an accounts receivable and an accounts payable system (column 9, lines 8-12 of Lyons et al.), an advanced financial system (column 10, lines 1-15); capital assets, invoicing, sales and operations systems and combinations thereof (columns 21-22 of Lyons et al).

Lyons et al further teach obtaining data quarterly or yearly and generating a report quarterly or yearly. See columns 4-5 of Lyons et al. Lyons et al also teach storing financial event data in a file or table. See columns 5-6 of Lyons et al.

As per claim 48, the entered data being for each point of time over a sequential series of points in time preceding a specified valuation date is inherent in the system of Lyons et al because in tabulating data in a database for a given enterprise, the data must be related to time of the year or to given quarter of the year so as to analyze the growth, decline or worth of the enterprise for a given period. See columns 4-5 of Lyons et al.

As per claim 49, 50, 56, 57, most enterprises always keep track of their financial record or transaction data and plan for future forecast. Thus, features of claims 49 and 50 are inherent features of the system of Lyons et al.

As per claims **51, 58, 74, 78, 79 and 81**, Lyons et al disclose a system and method for controlling, analyzing and reporting an enterprise's financial assets. See the abstract. When evaluating the value of a business enterprise, data related to the value of the business enterprise, wherein the business enterprises having elements of value contributing to the value of the business enterprise must be analyzed. A business enterprise usually possesses tangible assets (such as employees, goods and real estate properties) and intangible assets (such as stocks and other securities). Other elements affecting a business enterprise are debts, liabilities and operating expenses, related business partners, vendors, customers and resources such as production equipment. These elements of values must be grouped and analyzed in order to generate a report reflecting the strength and growth of the related business enterprise.

2. Newly submitted claim 82 is directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Claims 44-59 and 65-81 are directed to a program storage device or computer implemented method or data integration system for aggregating enterprise related event data or financial transaction data into a table or file using a common data dictionary, a subject matter found in class, 705, subclass 26 or 35. The newly added claim 82 is directed to a method for building predictive models from transaction data covering series of time periods from one or more elements by using a neural network that is being trained with a specific error function.

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This subject matter is found in class 706/2 and 706/16. Examining this claim would require the Examiner to perform additionally separate searches and to found new prior art since these claims are classified under a different class and subclass. Thus, such would result in a substantial burden on the Examiner if all these claims are to be examined.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claim 82 is withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Frantzy Poinvil
Primary Examiner
Art Unit 3692

FP
February 2, 2007